

# TECHNICAL MEMORANDUM


Utah Coal Regulatory Program

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January 23, 2012

TO: Internal File

THRU: April Abate, Lead *GGW*  
*2-13-2012*

FROM: Joe Helfrich, Biology, Landuse & Cultural Resources 

RE: Midterm Permit Review, Savage Services Corporation, Savage Coal Terminal, C/007/0022, Task ID #3953

## SUMMARY:

On November 23, 2011, the Division commenced the Midterm Review for the Savage Coal Terminal. This memo includes a review of the MRP, commitments and permit conditions relating to the Biology, Landuse and Cultural Resource sections of the of the Utah Coal Rules. There are no deficiencies in the review of these sections of the MRP.

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**TECHNICAL ANALYSIS:**

**GENERAL CONTENTS**

**MAPS AND PLANS**

Regulatory Reference: 30 CFR 777.14; R645-301-140.

**Analysis:**

The following deficiency was noted in the 2008 technical analysis for the reformatting of the MRP for the coal terminal:

**R645-301-140**, The wildlife map, Plate 10-1 from the existing MRP, should be included in the reformatted application along with any other pertinent wildlife maps identified in the DWR's database. The DWR may have additional wildlife species maps for the area where the Savage Coal Terminal is currently located.

**Findings:**

The deficiency was addressed and the information, (figure 10-1 and associated shape files), are located in the confidential binder of the coal terminal's MRP.

**ENVIRONMENTAL RESOURCE INFORMATION**

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

**HISTORIC AND ARCHEOLOGICAL RESOURCE INFORMATION**

Regulatory Reference: 30 CFR 783.12; R645-301-411.

**Analysis:**

Archaeological resource information is properly located in the confidential binder for the Savage Coal Terminal at the DOGM Salt Lake City office.

**Findings:**

The information is adequate to meet the requirements of this section of the regulations.

## **VEGETATION RESOURCE INFORMATION**

Regulatory Reference: 30 CFR 783.19; R645-301-320.

### **Analysis:**

Adequate vegetation resource information is included in chapter three and the associated appendices of the MRP.

### **Findings:**

The information is adequate to meet the requirements of this section of the regulations.

## **FISH AND WILDLIFE RESOURCE INFORMATION**

Regulatory Reference: 30 CFR 784.21; R645-301-322.

### **Analysis:**

Adequate wildlife resource information is included in chapter three and the associated appendices of the MRP.

### **Findings:**

The information is adequate to meet the requirements of this section of the regulations.

## **LAND-USE RESOURCE INFORMATION**

Regulatory Reference: 30 CFR 783.22; R645-301-411.

### **Analysis:**

Adequate land-use resource information is properly formatted and described in chapter four of the MRP.

### **Findings:**

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The information is adequate to meet the requirements of this section of the regulations.

## OPERATION PLAN

### FISH AND WILDLIFE INFORMATION

Regulatory Reference: 30 CFR Sec. 784.21, 817.97; R645-301-322, -301-333, -301-342, -301-358.

#### Analysis:

##### Endangered and Threatened Species

The following deficiency was noted in the 2008 technical analysis for the reformatting of the MRP for the coal terminal:

**R645-301-322, -301-333, -301-342, -301-358:** In order to ensure compliance with the Endangered Species act as required by R645-301-332 the application needs to include calculations for water consumed in acre feet per year for the loadout facility that would contribute to the habitat of the four endangered fish species in the upper Colorado River watershed system. A copy of the criterion used to calculate water consumption has been provided to the applicant by way of "E" mail. They include the Colorado pike minnow, razorback sucker, humpback chub and the bonytail. These four endangered fish species are included in the Fish and Wildlife Services' Colorado fish recovery program which requires a payment of 15.95 per acre foot for each acre foot up to and including any excess of 100 acre feet of water consumed per year.

#### Findings:

Chapter three, page 16 of the approved MRP includes the water usage in acre feet per year for the loadout facility. The information is adequate to meet the requirements of this section of the regulations.

### VEGETATION

Regulatory Reference: R645-301-330, -301-331, -301-332.

**Analysis:**

Numerous attempts have been made to establish a diverse vegetative cover on the top and subsoil piles. In addition several research projects on the establishment of vegetation in mancos shale soils have been completed and are included as appendices in chapter three of the MRP.

**Findings:**

It is suggested that the vegetative cover on the top and subsoil piles be surveyed at the appropriate time in 2012. Recommendations from the survey should include results from the previous test plot studies included in the MRP.

**RECOMMENDATIONS:**

A site visit should be scheduled at the appropriate time of 2012 to determine the effectiveness of the interim seed mix on the topsoil and subsoil piles and the spraying of noxious weeds. The midterm review is recommended for approval. [JCH]